



Is this the end of women's centres?

- The APPG for Women in the Penal System has been conducting an inquiry into the treatment of women in the criminal justice system
- Women's centres are 'one-stop-shops' for women involved in or at risk of involvement in the criminal justice system. They work with women as individuals to help them lead happy, safe and successful lives. They were championed by the seminal Corston Report, and Ministry of Justice research has concluded that they are successful in reducing reoffending
- Budgets for women's services and responsibility for commissioning should be ring-fenced and transferred to the National Probation Service to commission locally and regionally
- Many of the new services for women are a watered-down version of what went before, with group activities replacing individual casework
- There is a real risk that women's centres will be a thing of the past unless action is taken. The Ministry of Justice should negotiate to take women's services away from the private probation companies
- Priority should be given to centres and services for women which have a strong evidence base of success and adhere to the principles and recommendations set out in the Corston Report

The APPG

The All Party Parliamentary Group (APPG) for Women in the Penal System was set up in July 2009 with Baroness Corston as Chair and administrative support from the Howard League for Penal Reform.

The group comprises MPs and Members of the House of Lords from all parties and works to increase knowledge and awareness of issues around women in the penal system as well as push for the full implementation of the recommendations of *The Corston Report: A review of women with particular vulnerabilities in the criminal justice system* (Home Office 2007).

The group holds meetings and evidence sessions. Previous inquiries include *Girls: From Courts to Custody* and *Preventing Unnecessary Criminalisation of Women*.

What are women's centres?

Women's centres are specialist community 'one-stop-shops' which provide services for women involved with or at risk of involvement with the criminal justice system, amongst other groups. The centres vary in the services they provide, but all are based in a welcoming building that is a focal point for the women to spend time and receive help. Centres provide some or all of: counselling and mental health services, drug treatment, employment skills, help for women in abusive relationships, literacy, CV support, child care, and housing assistance. Many also hold reading groups, cookery classes, vocational training and are imaginative and respond to the particular needs of the women who attend.

The central aim which unites the centres is to provide a safe space for women where they are treated as individuals and their needs can be addressed holistically. This approach was identified in the Corston Report as being the best for women in the justice system. One of the key recommendations of the report was that women's centres be developed, expanded and increasingly used as an alternative to imprisonment.

In the nine years since the Corston Report was published, the number of women's centres has increased modestly. However, the majority have been hampered by instability due to short-term funding, often relying on a patchwork of support from the Ministry of Justice, local probation, charities and health.

Despite the difficult operating environment, women's centres are successful, both in terms of the positive impact they have on service users' lives and in contributing to reducing reoffending. A study by the Ministry of Justice found that women's centres have a statistically significant impact on reducing reoffending, with the difference estimated to be as high as 9 per cent (Ministry of Justice 2015); few other services have this proven impact.

Transforming Rehabilitation

Transforming Rehabilitation (TR) was the coalition government's flagship justice policy to part-privatise the probation service. It involved splitting probation trusts into a National Probation Service (NPS) and 21 Community Rehabilitation Companies (CRCs) and outsourcing the work of the CRCs to private companies. CRCs became responsible for supervising people on community orders and following release from prison, with the NPS maintaining responsibility for working with those deemed high risk. CRCs were also contracted to provide 'through the gate' support to people in the final months of their prison sentences.

A key component of the policy was extending sentence lengths for tens of thousands of people a year. For the first time, those who had been sentenced to less than 12 months in prison would be supervised by a CRC for at least a year following release. Crucially, during this period of supervision they were eligible for recall back to custody if they did not meet the terms of their licence.

During the consultation phase of TR there was widespread opposition to the proposals from probation trusts, voluntary sector organisations and parliamentarians, amongst others. One of the key criticisms was that the TR model would reduce the quality of specialist services for minority groups in the justice system, including women. Concern was raised that the extension to sentences of less than 12 months would disproportionately affect women, as the vast majority serve very short sentences. Women in prison have often committed lower level, non-violent offences but lead chaotic lives and find community orders and licence conditions very difficult to comply with. Introducing a year of licence supervision for this group was thought likely to cause further spells in custody through recall for technical reasons, for example not turning up to an appointment.

Despite the opposition to TR, the Ministry of Justice pressed ahead with the plans and eight privately-run organisations took over the 21 CRCs and became responsible for the majority of probation work in February 2015.

Following concern that women's centres were struggling under TR, the APPG launched an inquiry to ascertain the impact of the policy on women's services. The inquiry received written and oral evidence from more than half of CRCs, Police and Crime Commissioners, NHS Trusts and service providers, including women's centres. This evidence, alongside reports from the Justice Select Committee, Her Majesty's Inspectorate of Probation, Her Majesty's Inspectorate of Prisons and Independent Monitoring Boards form the basis of this report.

Evidence from CRCs

All the CRCs that gave evidence to the inquiry claimed that they were complying with the Offender Rehabilitation Act (2014), which stipulates that CRCs must identify and address the particular needs of women. Yet, the inquiry found that there was little evidence that this provision adequately safeguarded quality women's services in practice. The Public Accounts Committee reached the same conclusion in its report on TR (PAC 2016). Many CRCs narrowly interpreted their duties towards women as offering the option of a female offender supervisor and not requiring women to undertake unpaid work placements in all male groups. Evidence-based or high quality services were not protected or incentivised.

Some CRCs claimed ambitious plans to open new women's centres in particular areas. However, following further investigation it became apparent that this often meant only offering some support to existing services. For example, in their oral evidence to the inquiry Working Links, which runs three CRCs, stated that they were investing in women's centres in Wales and planned to open several more. However, in follow-up evidence they stated '[i]n terms of Wales there are no contracts in place. All our centres are based on reciprocal arrangements supported by Memorandum of Understanding. There are some examples where there is a financial contribution based on desk space...and others where there is no direct financial contribution but a recognition of the mutual advantages to partner agencies of effective, collaborative working.' (Working Links 2015).

Cheshire and Greater Manchester CRC had inherited the most advanced network of specialist services for women and made commitments to the inquiry to sustain the women's centres in Manchester and attempt to expand them in Cheshire. However, to date no progress has been made.

Evidence from Women's Centres

The experience of the women's centres that responded to the inquiry was overwhelmingly negative and indicated serious damage being inflicted to women's services. Several received no funding from CRCs, some were providing services temporarily but felt unable to continue long-term, and others had entered into contracts with CRCs but this involved providing services of a much lower quality than they were doing previously or would like.

Scarce resources had been spent on preparing for the TR changes. Some bizarre stories emerged. A few women's centre staff reported that CRCs first encouraged them to join together and form consortiums with other centres, then suddenly changed their mind and contracted with individual centres or not at all. Changing structures cost the centres considerable amounts in staff time and legal fees that they could ill afford. In the West Midlands women's centres had been pressured to form a consortium so that they could provide services for the whole of the region. The CRC owner, Ingeus, suddenly decided to contract with each women's centre individually, pitting one against other. The consortium had to be disbanded and substantial investment by the women's centres in the area written off.

Several women's centres had been offered contracts by CRCs but had taken the difficult decision to turn them down. Women's centre managers from several different parts of the country said that the contracts the CRCs offered would depress the quality of the service to such an extent that they would not feel it safe to or morally correct to go ahead. Many CRCs would only commission group activities and would not fund one-on-one casework which was central to the success of the women's centre model. Her Majesty's Inspectorate of Probation has documented the increasing move away from one-on-one work towards group activity for women, highlighting that staff feel this is undesirable and ineffective (HMI Probation 2016). Women service users tend to respond well to individual

relationships as they often have to reveal distressing experiences that are not suitable for discussion in a group of strangers.

Under the contracts being offered, women's centres would no longer be able to look at an individual's needs and tailor services to help them turn their lives around. Instead they would have to send women to group activity, whether they thought each woman would benefit or not. This system would benefit CRCs as they could record large numbers of people being put through a service and could claim that they were meeting targets, even if that service was not useful or indeed counter-productive or harmful. The centres did not want to provide a service that would not help the women they worked with.

The attitude and restrictive nature of CRCs contributed to some women's centres rejecting contracts. MPs and Peers heard evidence that during negotiations a women's centre asked if it would be able to supplement the CRC-commissioned group activities with additional services and support that it had sourced from elsewhere, highlighting an arrangement with a local college to provide free education as an example. The CRC said that this would be prohibited as they wanted the same service to be provided to each woman, as dictated by the contract. The approach of the CRC was regarded as trying to establish a 'tick-box culture', undermining the resourcefulness and experience of the women centre's staff and damaging the women users' prospects.

CRC lawyers inserted gagging clauses into contracts with women's centres. This prohibited them from speaking out on behalf of the women, raising concerns about the services or criticising the contracts. This was the final straw for many women's centres, rendering impossible the important role they had as charities in advocating on behalf of their service users.

Many CRCs are reducing women's services to a lowest common denominator. Destroying the world-leading women's centres in order to provide a cheap one-size-fits-all service, regardless of whether it is helpful or useful.

Recall

Seventy-six per cent of the 7,323 women sentenced to prison in 2015 were sentenced to less than a year, with 54 per cent having a sentence

of less than three months (Ministry of Justice 2016a). The introduction of 12 months' supervision under the TR programme therefore had a significant impact on women in the justice system, dramatically and disproportionately extending the restrictions on their liberty and subjecting them to the possibility of recall for 12 months.

Under TR recalls are for short periods, usually 14 days. Since TR was implemented in February 2015 there have been 797 recalls of women released from short sentences (Ministry of Justice 2016b). None of these recalls would have been possible under the old system. Her Majesty's Inspectorate of Prisons and Independent Monitoring Boards have noted the disproportionate number of women being recalled into custody (see, for example, IMB 2016a).

Most incidents of recall involved different women recalled on one occasion; however, in the first nine months of the programme alone, 46 women were recalled at least twice (House of Commons 2016). Witnesses told MPs and Peers that they were beginning to see multiple recalls of women and feared that this would continue to get worse.

Women's centre managers highlighted the disruptive impact this was having on the services they were still able to provide. They told the inquiry that women were being recalled for technical breaches of their licence, often non-attendance of appointments. This was trapping women in cycles of short-term imprisonment. A manager of a women's centre in Birmingham told MPs and Peers that women would come back to the centre following recall in a worse state than when they went in. Nothing positive can be achieved in 14 days in prison; those recalled simply go through the induction process again and spend the vast majority of time locked in their cells. Any progress that had been made with women's centres in terms of housing, child care or employment or training is lost and the processes need to be started again. The inquiry heard that this merry-go-round of imprisonment was having a negative impact on the women's children, often disrupting where they were living, their schooling and creating distress.

Resources

It is clear that TR is putting money in the wrong places. The probation service was never particularly well funded and specialist services were, by and large, underfunded prior to TR.

However, TR has exacerbated this: the probation budget is around the same as it was prior to TR but now it funds supervision of 60,000 extra people a year, pours money into shareholder dividends, pays for hundreds of bureaucrats employed as contract managers in CRCs and the Ministry of Justice as well as public relations agencies and other corporate spending habits (indeed, a CRC hired an expensive PR agency to help with its evidence submission to this inquiry).

The privatised model shifts costs onto other parts of the criminal justice system. Short-term recall is one of the most expensive and bureaucratic types of custody. Reception, induction and release planning all require considerable prison staff time and resources. Additional recalls are putting even more pressure on overcrowded and understaffed prisons. TR is taking money away from evidence-based resources and services in the community and placing significant additional financial costs on other parts of the system. This is a poor use of public money which is putting people at risk.

Case study: *The disruptive and counter-productive impact of recall*

Anna was a 26-year-old woman referred to The Nelson Trust after having served multiple short prison sentences, primarily for low-value shoplifting. Anna is in a violent and abusive relationship and has experienced several periods of homelessness. She used substances to manage her emotions and she found it very difficult to consistently engage with the service.

Over the period of a few years, we worked hard to engage with Anna and we would continue to reach out with support in custody through to the community. Although Anna experienced a period of positive engagement, due to a recent traumatic event, Anna became involved in street sex work. Consequently, the risks to her health and well-being have escalated.

Anna is now pregnant. When Anna learnt that she was pregnant, she expressed a strong desire to parent this child and a motivation to tackle her problems.

Due to Anna's challenges and multiple and complex needs, she still struggles to engage with consistent support. Consequently Anna has been recalled to prison three times since January 2016.

Each time she is incarcerated, her community-

based support systems are unavailable to her and she reports that she is forced to become 'hostile' in order to survive this environment.

Despite a team of dedicated, committed professionals, a positive conclusion is now looking unlikely. It is my view that short periods of detention have exacerbated an already high-risk situation and may well have contributed to escalating the risks for both her and her unborn child.

Through the gate

As well as handing over the supervision of people classed as low or medium risk to private companies, TR gave them responsibility for providing 'through the gate' services. The idea was that arrangements could be put in place prior to release to help people reintegrate safely. For this to work the entire prison estate needed to be reconfigured and a network of existing prisons was identified as 'resettlement prisons'. The aim was that prisoners would spend their last months in their local prison where the same CRC that would supervise them in the community could work with them prior to release. In 2014, 70 prisons were termed resettlement prisons. However, little aside from the name has changed.

The resettlement prison system has not worked for the male estate, with many men not being transferred to their local prison and therefore being released without support (see HMIP 2016 and IMB 2016b). Neither has it worked for the female estate because it never could. There are 12 women's prisons in England and Wales and 21 CRCs. Many women are held hundreds of miles from their home address. The numbers just did not add up for women. The Justice Select Committee acknowledged this in its report on Women: after the Corston Report, highlighting that '[t]he Government's Transforming Rehabilitation reforms have clearly been designed with male offenders in mind.' (Justice Committee 2013). Women have been shoehorned into the TR prison system despite it being unsuitable for their needs.

MPs and Peers were told that women's centres were trying to step in to support women who were being let down by inadequate services. Women's centre managers reported that as prisons were often far away from home women were not met at the prison gate but at a CRC office or train station. This in part was attributed to there not being enough money in the contracts to pay for

proper support. CRCs were often using volunteers, who could offer little practical support, to do the community side of through the gate work, rather than professional staff. Many women are released from prison into homelessness or unstable temporary accommodation for a few nights, and women's centre staff found CRCs ill-equipped to sort this out. There are cases of women given sleeping bags and tents on release (see, for example, HMIP 2015).

One witness told the inquiry that her staff had stepped in to help a woman who was released from prison on a Friday and had nowhere to sleep that night. A volunteer CRC mentor had taken her to the local council office but when it closed the mentor left the woman without anywhere to go. The local women's centre stepped in and stayed with her until it had found her a bed for the night. The women's centre was able to do this as it had some funding from a grant-making trust. Other women's centre managers said that they were no longer able to provide that kind of work despite it being desperately needed, because funding had disappeared.

What next?

There is a real risk that high quality services for women, particularly women's centres will become a thing of the past. This will have a hugely detrimental impact on the women that use these services and their communities. Women's centres work; the same cannot be said of the poor imitations which are replacing them in many parts of the country.

The government must act immediately to protect existing women's centres and then create a sustainable model in which they can expand and develop. The Ministry of Justice should begin by negotiating with CRCs to remove women's services from TR contracts and commission them separately. This is not necessarily as difficult as it sounds, as delivering women's services is awkward for CRCs. The number of women in their

caseload is low and they are disproportionately likely to have multiple and complex needs, making profiting from this work particularly difficult for CRCs under the current model.

Once this is achieved, the Ministry of Justice should ring-fence and transfer budgets to the National Probation Service, who through their local delivery units are well placed to work with women's centres and other providers to commission services appropriate for the local population. Commissioning priority should be given to centres and services for women which have a strong evidence base and adhere to the principles and recommendations set out in the Corston Report. These steps will ensure our excellent women's centres are not lost and lead to a sustainable system under which high-quality services can develop and expand.

About the Howard League for Penal Reform

The Howard League for Penal Reform is a national charity working for less crime, safer communities and fewer people in prison. It is the oldest penal reform charity in the world. It was established in 1866 and is named after John Howard, the first prison reformer.

We work with parliament and the media, with criminal justice professionals, students and members of the public, influencing debate and forcing through meaningful change to create safer communities.

We campaign on a wide range of issues including short term prison sentences, real work in prison, community sentences and youth justice.

Our legal team provides free, independent and confidential advice, assistance and representation on a wide range of issues to young people under 21 who are in prisons or secure children's homes and centres.

By becoming a member you will give us a bigger voice and give vital financial support to our work. We cannot achieve real and lasting change without your help.

Please visit www.howardleague.org and join today.

Howard League for Penal Reform

1 Ardleigh Road
London
N1 4HS

t
e
w

020 7249 7373
info@howardleague.org
www.howardleague.org

Registered charity
No. 251926
Company limited by
guarantee No. 898514

ISBN 978-1-911114-09-3



9 781911 114093 >

ISBN 978-1-911114-09-3

2016